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ANITA ALVAREZ
STATE'S ATTORNEY

December 12, 2012

Mr. Jeff Fager
Chairman, CBS News & Executive Producer, 60 Minutes
524 West 57th Street
New York, NY 10019

Dear Mr. Fager:

Disappointed does not even begin to describe my reaction to the one-sided and extremely misleading story that aired on 60 Minutes last Sunday, December 9, 2012 exploring the topic of false confessions in Chicago. When my office was contacted by the producers of this segment nearly one year ago, we were told that you intended to tackle this very difficult and complicated subject with a balanced approach that would include all sides of the story enabling viewers to come away with a better understanding of this topic and engage in an intelligent discussion.

What a gross misrepresentation that turned out to be. Had I known that this story would completely distort my position and intentionally omit critical facts, I would never have agreed to your interview. My view of your program is completely different than before and I intend to set the record straight moving forward.

First and foremost, contrary to the impression that the segment clearly intended to make upon viewers, I am not continuing to prosecute the men that were featured in the story. And it was me --- not a judge or a jury -- - who dismissed all cases against them, well before my interview with 60 Minutes was ever even conducted. These men were released by the authority invested in me, which was never clearly stated in the story and which provided a gross misrepresentation to the viewing public.

I am also insulted by the allegation that I created a Conviction Integrity Unit within my office as a result of public pressure. I created this unit with the recognition that we have a troublesome history of wrongful and questionable convictions here in Cook County. I have steadfastly said that we need to aggressively re-investigate these types of cases and work to restore the public's faith in the criminal justice system to help ensure a more just, fair and reliable system for the victims of crime and those accused of committing crimes.

You should be aware that my staff and I extensively relayed a large amount of information and facts about these cases to 60 Minutes producers prior to the interview and to Mr. Byron Pitts during the actual interview itself. But the vast majority of these pertinent facts were omitted from the segment.

The handling of this story was unconscionable for very specific reasons. I hope that management will take a close look at the following critical information which was omitted from the story in order to make a fair assessment of the quality of the reporting that was involved and to correct the public misapprehension of the truth that has resulted from the manner in which this story was presented:

Regarding the 1991 murder of Cataresa Matthews in Dixmoor, Illinois:

- The story inaccurately reported or at least definitively implied that the murder of Cataresa Matthews occurred in Chicago and that Chicago Police detectives handled this investigation. This young girl's horrific murder occurred in Dixmoor, Illinois and it was investigated by the Dixmoor Police Department and the Illinois State Police.
- There were five offenders implicated in this young girl's murder, not three. Producers selectively omitted the fact that the two offenders who were not included or interviewed in the story also confessed to this crime and implicated their three co-offenders. Furthermore, those two pled guilty in court while represented by counsel and then went on to testify multiple times to judges and juries admitting their involvement and the involvement of the three co-offenders in this crime. One of these two co-offenders maintained his guilt and the guilt of all of the men until only very recently when my office was conducting its re-investigation of this case.
- Although the story completely omitted this fact, Robert Milan, who was also featured prominently in the segment, was the prosecutor in the State's Attorney's Office who personally handled the Dixmoor matter at the outset. Mr. Milan was the person who actually took, and, in his own handwriting, memorialized the confessions from these young men prior to the time they were charged with murder. He was present with the police and personally interviewed each of the defendants. If anyone was in the best position to determine whether coercion or mistreatment took place, it was Robert Milan. Mr. Milan also went on to become the Chief Deputy State's Attorney and the First Assistant State's Attorney under my predecessor and never brought up his concerns about the reliability of these confessions until this 60 Minutes interview. The story also failed to mention that Mr. Milan was one of my political opponents in the 2008 race for Cook County State's Attorney. Mr. Milan's reasons for failing to take action on this case when he was in a position of authority in this office were never fairly explored by Mr. Pitts or 60 Minutes producers.
- The argument that Cataresa Matthews could have been killed and her body later sexually assaulted by another offender was made at the original trial. I had no involvement in the case and became aware of this tragic crime only after I became State's Attorney 17 years later. I have never advanced that theory or argument, but simply responded, when asked by Mr. Pitts, that we can't say with certainty what had occurred. I do not believe that an act of necrophilia occurred in this case because if I did I would not have taken the bold step of dismissing rape and murder charges against five convicted defendants, two of whom testified at multiple trials to their involvement in this murder.

Regarding the 1994 Murder of Nina Glover in Chicago, Illinois:

- As I discussed in my interview at length with Mr. Pitts, but which was left out of the story entirely, was that the victim in that case, Nina Glover, was a prostitute who regularly exchanged sexual acts for money and/or drugs, behavior that places victims like her at an increased risk of harm or death. When DNA testing was originally done in this case, it was determined that there was no DNA match to any of the five charged offenders. This fact was known and properly presented to Courts at the time of trial. Subsequent DNA testing determined that profiles came from multiple male donors, including a convicted murderer named Johnnie Douglas. There were also at least two other unique male DNA profiles which were never able to be identified. Clearly, Mr. Douglas had sex with this victim and I cannot discount the fact that he could have been the murderer but I am unable to prove that beyond a reasonable doubt. Nonetheless, this information was also a significant factor that led to my decision to dismiss the charges against the five defendants in the Englewood case.

- A total of five offenders were originally implicated in this rape and murder, not four. In fact, it was the fifth alleged offender, described innocuously in the story as a neighborhood tipster, who not only implicated himself in this murder but also led the Chicago Police to the four men that were charged in this case and interviewed on your show.
- It went completely unreported that, although the investigators did not initially know what type of weapons were used to kill Ms. Glover, when asked what and where the murder weapons were in this case, one of the charged defendants told police that they used a shovel and mop handle to bludgeon Ms. Glover to death. This man then subsequently led police to a lagoon shortly thereafter where these instruments were discovered. This compelling evidence served to corroborate their confessions at the time of this murder.

While I found the entire episode to be an offensive display, most offensive was the false suggestion that I would choose to stubbornly defend the actions of police and prosecutors despite many lingering questions with respect to both crimes and in the absence of an exhaustive and careful reexamination of these cases.

To the contrary, in spite of court reported confessions, signed handwritten confessions, oral confessions, guilty pleas, self-incriminating trial testimony and a post-conviction confession made by these men, and in spite of denials of appeals and denials of post-conviction petitions in both cases by the Courts, I caused the convictions in both of these cases to be dismissed because of our inability to answer critical questions and because I reached the conclusion that we were no longer able to meet our burden of proof.

I suppose that it is always easier to oversimplify an issue if you are predetermined to point the viewers in a specific direction. But at a minimum, I believe you have a responsibility to present an accurate story and not intentionally mislead your viewers with distorted snippets of interviews. This story was not designed to inform, it was designed to undermine me and mislead the public. I was expecting a much higher standard from 60 Minutes.

I take my responsibility very seriously and work very hard each day to ensure that this office does justice. When I analyze cases of this nature, I am committed to ensuring justice for the accused and for the victims and their families – in these cases two families who lost their daughters in vicious murders and are still seeking justice. Any fair reading of my record supports my point. It is my heartfelt view that the greatest injustice that can occur in the criminal justice system is for an innocent person to be convicted of a crime they did not commit. However, coming in as a close second is for a guilty person to be freed of criminal accountability for a crime that they did commit. As a law enforcement official who leads the second largest prosecutor's office in the nation, I feel that my reputation has been unjustly damaged by this story and it is my hope that you will identify some type of remedy to set the record straight.

Sincerely,



Anita Alvarez
Cook County State's Attorney

cc: Mr. Ira Rosen
Ms. Gabrielle Schonder
Mr. Byron Pitts